

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB976

Hearing Date: February 04, 2008

Committee On: Education

Introducer(s): (Raikes)

Title: Change provisions relating to dissolution of unified school districts

Roll Call Vote - Final Committee Action:

Indefinitely Postponed

Vote Results:

7 Yes Senators Adams, Avery, Burling, Howard, Johnson,
Kopplin, Raikes

0 No

1 Absent Senator Ashford

0 Present, not voting

Proponents:
Senator Ron Raikes

Representing:
Introducer

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or change:

Legislative Bill 976 would amend the provisions for unified systems in § 79-4,108 by providing a method and requirements for withdrawal or dissolution and by limiting the creation of new unifications. Unifications are interlocal agreements approved by the Committee for the Reorganization of School Districts, which join two or more school districts into a unified system to be treated as a single district for most purposes.

The withdrawal of a participating district or dissolution of a unified system would require each participating district to either be merged with at least one other district or continue participation in the unified system with at least one other district. In the event of a withdrawal or dissolution, the rights and liabilities of the participating district would be determined through an action for declaratory judgment pursuant to the Uniform Declaratory Judgments Act. Such action could be brought by the school board of any participating school district. The court would have jurisdiction to determine all matters relating to the rights and liabilities of participating districts, including the allocation of:

- a. Certificated staff;
- b. Real and personal property in the name of the unified system;
- c. Local, state, and federal revenue, including state aid to be paid for the year following the withdrawal or dissolution; and
- d. Liability for the repayment of incentive aid, which would be subtracted from the state aid to be paid for the year following the withdrawal or dissolution.

The Department of Education would implement and enforce all terms of such decree of declaratory judgment.

New unifications could not be created after the effective date of the act, nor could school districts be added to an existing unified system. The Committee for the Reorganization of School Districts could approve the continuation of an existing unified system with two or more school districts or the continuation of a unified system consisting of two or more districts remaining after a withdrawal. A district created as the result of a consolidation involving at least one participating district would be deemed to be a participating district.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson